

ACTIVITIES CARRIED OUT UNDER INTERAGENCY COOPERATIVE AGREEMENTS

I. Guiding Principles of Interagency Cooperative Agreements

Types of Agreements and Underlying Principles

Wisconsin DVR is required to establish agreements with a variety of public and private agencies in order to meet its State Plan obligations. The following agreements are required by this state plan section as well as other sections of the State Plan:

- State Plan section 6.8(f) requires DVR to determine whether comparable services or benefits are available through the following programs and to establish an interagency agreement or other appropriate mechanism for interagency coordination with them: the state Medicaid program, a public institution of higher education and a component of the statewide workforce investment system.
- Section 4.9(a) repeats the requirement for cooperative agreements with other entities that are components of the statewide workforce investment system at both the state and local levels 4.9(b).
- Section 4.9(c) requires agreements with other state, federal and local agencies and state use programs, if not already covered in 4.9(a).
- Sections 4.9(c) (3) and (5.6(b) allow for cooperative agreements with private, non-profit vocational rehabilitation service providers.
- Section 4.9(c) (4) requires cooperative agreements with state agencies and other entities for the provision of supported employment services to individuals with the most significant disabilities.
- Section 4.9(d) requires coordination with state education officials and details the components of agreement.
- Section 4.9(e) - Coordination with statewide independent living council and independent living centers.
- Section 4.9(f) - Cooperative agreement with recipients of grants for services to American Indians. Wisconsin has three such projects.

All of these agreements, in addition to all other services and activities of the Wisconsin DVR, are to be guided by:

- 1. Our Mission: The Wisconsin Division of Vocational Rehabilitation (DVR) is a federal/state program designed to obtain, maintain, and improve employment for people with disabilities by working with VR consumers, employers, and other partners.**
- 2. Results of a comprehensive assessment of the rehabilitation needs of individuals with disabilities and the need to establish develop or improve community rehabilitation programs (attachment 4.12(a)).**
- 3. Established annual goals and priorities (attachment 4.12c (1)).**

Fiscal Mechanisms Implementing Cooperative Agreements

The primary mechanism for interagency coordination and cooperative agreements are the State Plan interagency coordination parameters as defined in this attachment.

The secondary mechanisms for interagency coordination and cooperative agreements include the following.

As the Division deems appropriate, and with approval from the Rehabilitation Council, secondary interagency agreement mechanisms that expand the availability of services and support the interagency coordination parameters of the State Plan may be employed.

Such mechanisms require a signed agreement between the Division of Vocational Rehabilitation and the respective officials of the public and private entities that clearly identifies the responsibilities of each entity for the provision of services.

Secondary cooperative interagency mechanisms may include third-party cooperative arrangements or non-third-party collaborative agreements involving funds from other public agencies (34 CFR section 361.28), cooperative arrangements or collaborative agreements with private nonprofit vocational rehabilitation service provider organizations (34 CFR section 361.31), or agreements to establish or expand the scope of VR services for groups of individuals (34 CFR section 361.49). Such arrangements or agreements may or may not involve funding contributions from the Division of Vocational rehabilitation. As a complement to the primary interagency coordination parameters of the State Plan, such agreements may take the form of a memorandum of understanding, a letter of agreement, or a contractual agreement.

As deemed appropriate by the Division, and when approved by the Wisconsin Rehabilitation Council, short-term waivers from the State Plan primary interagency coordination parameters may be granted. Such waivers will be granted for the purpose of facilitating the transition of secondary cooperative or collaborative interagency mechanisms and funding to full compliance with the interagency coordination parameters of the State Plan, should such a transition be determined necessary to provide continuous and timely services to DVR consumers.

i. Agency financial responsibility

The DVR is primarily responsible for assuring that services within the Scope of Vocational Rehabilitation Services (34 CFR section 361.48) are available to assist eligible individuals with an individualized plan for employment (IPE) in achieving their employment goals.

As needed to assure the timely and continuous provision of IPE services, the agency's financial responsibility priority will be to expend Title I-B operational and discretionary case aid funds to assure the timely and continuous availability and delivery of services to these individuals. A minimum of 95% of the Title I-B funds, exclusive of carryover and funds allocated to operations shall be designated to the discretionary case aids budget to support IPE services and to develop and activate employment plans for eligible individuals with significant and most significant disabilities from the DVR wait list in a continuous and timely manner.

After the Division is assured that eligible individuals are adequately supported in their annual plan costs, and that Title I-B funds have been used to activate individuals with significant and most significant disabilities from the OOS wait list in a timely manner, up to 5% of Title I-B funds may be used for other allowable purposes, if such purposes are co-funded under an interagency mechanism in accordance with the minimum financial responsibilities of a public or private partner specified in this section.

In FFY '07, such allowable purposes may include:

1. Service innovation or service expansion projects co-funded by another public entity,
2. Expansion of business opportunities in the Business Enterprise Program (BEP) co-funded by the BEP program's nominee agency using set-aside and other allowable sources of match funds,
3. Expansion of services to Native American VR consumers co-funded by the Great Lakes Intertribal Council (GLITC).

The Division, in cooperation with the Wisconsin Rehabilitation Council (WRC), will annually establish the appropriate percentage within the 5% range of the Title I-B case aids budget to be expended for these other allowable purposes.

In addition, as funds are available and after satisfying the primary financial responsibility of continuously providing services to individuals with an active IPE and timely activation of eligible applicants with significant and most significant disabilities from the OOS wait list, revenues from Social Security reimbursement, interagency partners, federal or GPR carryover, and program revenue may be used to meet the Division's operational improvement and/or expansion needs, and for the statewide enhancement of the delivery of vocational rehabilitation services.

When available, Social Security reimbursement funds may also be used to fund employment initiatives identified in the State Plan of the Independent Living Council of Wisconsin (ILC-W) and co-funded by ILC-W or the Wisconsin Coalition of Independent Living Centers (WCILC). To be eligible for funding from the Division, a program of service funded and delivered under an interagency mechanism must be performance-based and outcome-oriented. In addition the program of service must address:

an identified need to establish the delivery of a service within the scope of service parameters of the Rehabilitation Act where none exists, or

an identified need to significantly improve upon the delivery of a service within the scope of service parameters of the Rehabilitation Act, or

the identified need to expand services within the scope of services to assure statewideness, or

the identified need to expand services within the scope of services to meet the needs of an underserved group of individuals.

To identify service needs and establish a priority for creating interagency cooperative mechanisms for meeting those needs the Division will work with the Wisconsin Rehabilitation Council to gather annual needs assessment information and, as necessary, conduct an additional statewide assessment of need.

Statewide interagency co-funded service delivery projects will be coordinated by DVR Central Office. Local DVR management will coordinate WDA or county-level interagency co-funded service delivery projects with oversight and technical assistance from Central Office.

The minimum financial responsibilities of a public or private partner for the purposes of interagency service delivery and co-funded agreements include the following.

For public entities only

A co-funding level of not less than 50% shall be required, unless the project does not require a funding contribution from the Division or a waiver of the required match level is granted by the WRC.

For both public and private entities

A guarantee that the Division funds will not be used to supplant funding for existing services.

A guarantee that Division funds will not be used to cover the costs of otherwise comparable services and benefits as described in 34 CFR section 361.53.

A guarantee that the Division's funding is limited to the timeframe of the project which is not to exceed 36 months, unless the project is funded in part or whole under federal appropriation in which case, the project timeframe is not to exceed 60 months.

A predetermined strategy for service sustainability and a project funding conversion schedule, to be determined by the Division that may include the conversion of project revenue to DVR fee-for-service revenue.

(ii) Conditions, terms, and procedures of reimbursement

If any entity other than the Wisconsin Division of Vocational Rehabilitation is obligated under federal or state law, or assigned responsibility under state policy or under this paragraph, to provide or pay for any services that are also considered to be vocational rehabilitation services (other than those specified in paragraph (5)(D) and in paragraphs (1) through (4) and (14) of section 103(a) of the Rehabilitation Act), such entity shall fulfill that obligation or responsibility, either directly or by contract or other arrangement.

If an entity other than the Division of Vocational Rehabilitation fails to provide or pay for the services described in clause (i) for an eligible individual, the Division of Vocational Rehabilitation shall provide or pay for such services to the individual.

The Division of Vocational Rehabilitation will claim reimbursement for the services from the entity that failed to provide or pay for such services. Such entity shall reimburse the DVR pursuant to the terms of the interagency agreement or other mechanism described in this paragraph according to the procedures established in such agreement or mechanism pursuant to subparagraph (B)(ii).

(iii) Interagency disputes

Information specifying procedures for resolving interagency disputes under the agreement or other mechanism (including procedures under which the designated State unit may initiate proceedings to secure reimbursement from other public entities or otherwise implement the provisions of the agreement or mechanism) will be included in written and signed interagency agreements.

(iv) Coordination of services procedures

The service delivery timeframes within the Act and those referenced in the Division of Vocational Rehabilitation Policy Manual shall establish the minimum standard for the timely delivery of vocational rehabilitation services. At its discretion, the Division may create additional requirements for the coordination and timely delivery of services when establishing mechanisms for interagency coordination that impact the delivery of services.

The Division shall maintain primary responsibility for assuring the coordination and timely delivery of services. The Division will meet this responsibility through its purchasing agreements and in all other mechanisms used for establishing interagency coordination for the delivery of services.

II. Agreements and Special Projects Entering the Next State Plan Year

State Medicaid Agency

Through June 30, 2007, DVR has a Memorandum of Understanding with the Department of Health and Family Services (DHFS), the state Medicaid Agency, to collaboratively co-fund three projects that provide innovative and/or expanded employment services to DVR consumers. These agreements include:

- Development Disabilities Supported Employment 7-county Expansion Project
- Family Care 3-County Person-centered Planning and Coordinated Supported Employment Project.
- 3- County expansion of Vocational Services for People with Severe and Persistent Mental Illness.

Institutions of Higher Education

DVR has a Memorandum of Understanding through June 30, 2007 regarding the provision of services to students with disabilities in the University of Wisconsin System (UW). The MOU is published on the DVR public website. DVR also has an agreement to coordinate IHE financial aid resources with DVR resources.

Statewide Workforce Investment System

The Division of Vocational Rehabilitation has entered into operational agreements with Local Workforce Investment One-Stop Centers in Wisconsin. These agreements address operation of the One-Stop service delivery system including description of services and methods for referrals. In FFY '07 DVR direct service delivery staff will all be located in Wisconsin One-Stop Job Centers.

Supported employment services to individuals with the most significant disabilities

To promote supported employment services to individuals with the most significant disabilities, DVR has developed and published to its web site policy, technical specifications, a fee schedule, and guidance for the delivery of supported employment and extended employment services.

In addition, to expand supported employment services a collaborative agreement with the Medicaid State Agency to co-fund supported employment start-up projects in areas of the state where expanded capacity is needed. DVR issued seven contracts with county human service agencies for a new service start-ups scheduled through June 2007. These projects will be fully converted to the DVR fee-for-service funding schedule by the end of the grant period.

Through June 2007, DVR has a collaborative agreement with the Medicaid State Agency for start-up projects that add a vocational rehabilitation specialist to Community Support Programs for persons with serious and persistent mental illness. This project includes three sites with a conversion to fee for service funding by the end of the grant period.

State education agency

A Memorandum of Understanding between the Department of Workforce Development and the Department of Public Instruction signed in April 2004 continues in force. The agreement, written in a user friendly format for students, parents, educators and DVR counselors, defines eligibility for special education and VR services, lays out mutual roles and responsibilities under IDEA and the Rehabilitation Act, and includes guidelines for the coordination of IEP's with IPE's. The agreement is published on the DVR public website.

Private, non-profit vocational rehabilitation service providers

DVR employs a milestone service-based fee structure and has three-year agreements in place with private, non-profit vocational rehabilitation service providers. The agreements are effective July 2004 through June 2007. Statewide rates and technical specifications were established for the services most commonly purchased from non-profit vocational rehabilitation services providers including: vocational evaluation, supported employment, on-site job coaching and job development and benefits analysis. Agencies wishing to provide these services sign a fee for service agreement with DVR. The statewide rates, technical specifications for services, service provider agreement and the providers which have a signed agreement with DVR are posted on the DVR website.

Other Agencies

In addition to the agencies already listed, the DSU will, when appropriate, develops additional agreements with other federal, state and local agencies that are not part of the statewide workforce investment system, including programs carried out by the Under Secretary for Rural Development of the Department of Agriculture and State use programs, when such agreements will benefit the vocational rehabilitation of persons with significant disabilities. The Division also maintains a permanent seat on the Wisconsin State Use Board.